

DEC 29 2005

BY \_\_\_\_\_ DEPUTY

FOR THE DISTRICT OF NEVADA

Plaintiff,

Plaintiff-Intervenor,

WALKER RIVER IRRIGATION DISTRICT,) )  
a corporation, et al.,

**Defendants.**

## JOINT REPORT OF MEDIATING PARTIES

DEC 29 2005

DEPUTY

At the January 20, 2006, meeting, the parties expect to reach a decision to continue or discontinue the Mediation Process, or, alternatively, to continue the Mediation Process in a

1 modified format. The Parties, either individually or jointly, will file and serve a report to the  
2 Court concerning the continuation of the Mediation Process by no later than February 3, 2006.

3 **3. Holding Activities in Sub-Proceedings C-125-B and C-125-C in Abeyance**

4 The Parties agree that all activity in the C-125-B and C-125-C sub-proceedings should  
5 continue to be stayed, with the exception of efforts by the United States, Tribe and Mineral  
6 County to complete service, the motions which are the subject of the Court's Minute Order of  
7 December 6, 2005, and as otherwise ordered by the Court, until the March 7, 2006. status  
8 conference in this matter.  
9

10 **4. Payment of Mediator Fees and Expenses**

11 Until the continuation of the Mediation Process has been considered and decided upon  
12 by the Parties and Court, the Parties have agreed to make and are able to make payments  
13 toward the Mediator's fees and expenses as necessary and in accordance with the provisions of  
14 the Mediation Process Agreement.  
15

16 **5. Need for Court Hearing**

17 There is no need for a hearing before the Court prior to the hearing currently scheduled  
18 for March 7, 2006, at 1:30 P.M.

19 Dated this 29<sup>th</sup> day of December, 2005.

20 Date: 12-27-05

21 Scott B. McElroy, Alice E. Walker  
22 Greene, Meyer & McElroy, P.C.  
1007 Pearl St., #220  
Boulder, CO 80302  
303/442-2021

23 Kelly R. Chase  
24 P.O. Box 2800  
Minden, NV 89423  
25 702/782-3099

26 By:   
27 Scott B. McElroy

28 *Attorneys for Walker River Paiute Tribe*

1 Date: 12-27-05

Susan Schneider  
U.S. Department of Justice  
Environment and Natural Resources Div.  
Indian Resources Section  
999 18th St., #945  
Denver, CO 80202  
303/312-7308

6 By: Mia E. Walker for  
Susan Schneider

*Attorneys for the United States of America*

9 Date: December 29, 2005

Gordon DePaoli, Dale Ferguson  
Woodburn and Wedge  
6100 Neil Rd., #500  
Reno, NV 89511-1149  
775/688-3000

13 By: Gordon H. DePaoli  
Gordon DePaoli

*Attorneys for Walker River Irrigation District*

17 Date: \_\_\_\_\_

George J. Chanos  
Nevada Attorney General  
By: Marta Adams  
Senior Deputy Attorney General  
C. Wayne Howle  
Senior Deputy Attorney General  
100 N. Carson St.  
Carson City, NV 89701  
775/684-1237

24 By: \_\_\_\_\_  
Marta Adams

*Attorneys for State of Nevada*

1 Date: \_\_\_\_\_ Susan Schneider  
2 U.S. Department of Justice  
3 Environment and Natural Resources Div.  
4 Indian Resources Section  
5 999 18th St., #945  
6 Denver, CO 80202  
7 303/312-7308

8 By: \_\_\_\_\_  
9 Susan Schneider

10 *Attorneys for the United States of America*

11 Date: \_\_\_\_\_ Gordon DePaoli, Dale Ferguson  
12 Woodburn and Wedge  
13 6100 Neil Rd., #500  
14 Reno, NV 89511-1149  
15 775/688-3000

16 By: \_\_\_\_\_  
17 Gordon DePaoli

18 *Attorneys for Walker River Irrigation District*

19 Date: 29 December 05 George J. Chanos  
20 Nevada Attorney General  
21 By: Marta Adams  
22 Senior Deputy Attorney General  
23 C. Wayne Howle  
24 Senior Deputy Attorney General  
25 100 N. Carson St.  
26 Carson City, NV 89701  
27 775/684-1237

28 By: Marta Adams  
Marta Adams

*Attorneys for State of Nevada*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Date: 12-27-05

Michael Neville  
Assistant Attorney General  
State of California  
455 Golden Gate Ave.  
San Francisco, CA 94102  
415/703-5523

By:   
Michael Neville

*Attorneys for State of California, acting by and  
through the California Dept. of Water Resources,  
California Dept. of Fish and Game, and  
California State Water Resources Control Board*

Date: \_\_\_\_\_

Stephen B. Rye  
Chief Deputy District Attorney  
Lyon County  
31 S. Main St.  
Yerington, NV 89447  
775/463-6511

By: \_\_\_\_\_  
Stephen B. Rye

*Attorney for Lyon County*

Date: \_\_\_\_\_

Marshall Rudolph  
Mono County Counsel  
Stacey Simon  
Deputy County Counsel  
P.O. Box 2415  
Mammoth Lakes, CA 93546  
760/924-1700

By: \_\_\_\_\_  
Marshall Rudolph / Stacey Simon

*Attorneys for Mono County*

Date: \_\_\_\_\_

Michael Neville  
Assistant Attorney General  
State of California  
455 Golden Gate Ave.  
San Francisco, CA 94102  
415/703-5523

By: \_\_\_\_\_

Michael Neville

*Attorneys for State of California, acting by and  
through the California Dept. of Water Resources,  
California Dept. of Fish and Game, and  
California State Water Resources Control Board*

Date: 12-27-05

Stephen B. Rye  
Chief Deputy District Attorney  
Lyon County  
31 S. Main St.  
Yerington, NV 89447  
775/463-6511

By:   
Stephen B. Rye*Attorney for Lyon County*

Date: \_\_\_\_\_

Marshall Rudolph  
Mono County Counsel  
Stacey Simon  
Deputy County Counsel  
P.O. Box 2415  
Mammoth Lakes, CA 93546  
760/924-1700

By: \_\_\_\_\_

Marshall Rudolph / Stacey Simon

*Attorneys for Mono County*

1  
2 Date: \_\_\_\_\_ Michael Neville  
3 Assistant Attorney General  
4 State of California  
5 455 Golden Gate Ave.  
6 San Francisco, CA 94102  
7 415/703-5523

8 By: \_\_\_\_\_  
9 Michael Neville

10 *Attorneys for State of California, acting by and*  
11 *through the California Dept. of Water Resources,*  
12 *California Dept. of Fish and Game, and*  
13 *California State Water Resources Control Board*

14 Date: \_\_\_\_\_ Stephen B. Rye  
15 Chief Deputy District Attorney  
16 Lyon County  
17 31 S. Main St.  
18 Yerington, NV 89447  
19 775/463-6511

20 By: \_\_\_\_\_  
21 Stephen B. Rye

22 *Attorney for Lyon County*

23 Date: 12/28/05 Marshall Rudolph  
24 Mono County Counsel  
25 Stacey Simon  
26 Deputy County Counsel  
27 P.O. Box 2415  
28 Mammoth Lakes, CA 93546  
760/924-1700

By:   
Marshall Rudolph / Stacey Simon

*Attorneys for Mono County*

1  
2 Cheri K. Emm-Smith  
3 Mineral County District Attorney  
4 P.O. Box 1210  
5 Hawthorne, NV 89415  
6 775/945-3636

*Attorney for Mineral County*

7 Date: 12.28.05

8 Simeon Herskovits  
9 Western Environmental Law Center  
10 P.O. Box 1507  
11 Taos, NM 87571  
12 505/751-0351

13 By: 

14 Simeon Herskovits

15 *Attorneys for Mineral County and Walker Lake*  
16 *Working Group*  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**CERTIFICATE OF MAILING**

I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing

**JOINT REPORT OF MEDIATING PARTIES** in an envelope addressed to:

Greg Addington  
Assistant U.S. Attorney  
100 West Liberty Street, #600  
Reno, NV 89509

William W. Quinn  
Office of the Field Solicitor  
Department of the Interior  
401 West Washington Street, SPC 44  
Phoenix, AZ 85003

George Benesch  
190 West Huffaker  
Reno, NV 89511

Robert L. Hunter  
Western Nevada Agency  
Bureau of Indian Affairs  
1677 Hot Springs Road  
Carson City, NV 89706

Kenneth Spooner  
General Manager  
Walker River Irrigation District  
P.O. Box 820  
Yerington, NV 89447

Hugh Ricci, P.E.  
Division of Water Resources  
State of Nevada  
123 West Nye Lane  
Carson City, NV 89706

Garry Stone  
United States District Court Water Master  
290 South Arlington Avenue  
Third Floor  
Reno, NV 89501

Alice E. Walker / Scott McElroy  
Greene, Meyer & McElroy  
1007 Pearl Street, Suite 220  
Boulder, CO 80302

John Kramer  
Department of Water Resources  
1416 Ninth Street  
Sacramento, CA 95814

Alan Biaggi  
Dir. of Conservation & Natural Resources  
State of Nevada  
123 W. Nye Lane  
Carson City, NV 89706

Bill Lockyer / Michael W. Neville  
California Attorney General's Office  
455 Golden Gate Avenue  
Suite 11000  
San Francisco, CA 94102-3664

Ross E. de Lipkau  
Marshall, Hill, Cassas & de Lipkau  
P.O. Box 2790  
Reno, NV 89505

1 Susan Schneider  
2 Indian Resources Section  
3 U.S. Department of Justice  
4 999 18<sup>th</sup> Street  
Suite 945, North Tower  
Denver, CO 80202

Marta Adams  
Deputy Attorney General  
State of Nevada  
100 North Carson street  
Carson City, NV 89701

5 Mary Hackenbracht  
6 Deputy Attorney General  
7 State of California  
1515 Clay Street, 20<sup>th</sup> Floor  
Oakland, CA 94612-1413

Treva J. Hearne  
Hager & Hearne  
910 E. Parr Blvd., Ste. 8  
Reno, NV 89512

8 James Shaw  
9 Water Master  
10 U.S. Board of Water Commissioners  
11 P.O. Box 853  
Yerington, NV 89447

David L. Negri  
United States Department of Justice  
Environment and Natural Resources Div.  
161 E. Mallard Dr., Suite A  
Boise, ID 83706

12 Linda Bowman  
13 540 Hammill Lane  
Reno, NV 89511

Kelly Chase, Esq.  
P.O. Box 2800  
Minden, NV 89423

14 Tim Gidden  
15 U. S. Dept. of the Interior, Office of the  
16 Secretary, Div. Of Indian Affairs  
1849 C St. N.W.  
17 Mail Stop 6456  
Washington, D.C. 20240

Wesley G. Beverlin  
Malissa Hathaway McKeith  
Lewis, Brisbois, Bisgaard & Smith LCP  
221 N. Figueroa St., Suite 1200  
Los Angeles, CA 90012

18 Marshall S. Rudolph, Mono County Counsel  
19 Stacy Simon, Deputy County Counsel  
20 Mono County  
P. O. Box 2415  
21 Mammoth Lakes, CA 93546-2415

Erin K.L. Mahaney  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I St., 22<sup>nd</sup> Floor  
Sacramento, CA 95814

22 Steve Rye  
23 Chief Deputy District Attorney  
24 Lyon County  
31 S. Main St.  
Yerington, NV 89447

Simeon Herskovits  
Western Environmental Law Center  
P. O. Box 1507  
Taos, NM 87571

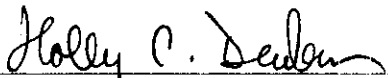
25 Cheri Emm-Smith  
26 Mineral County District Attorney  
27 P. O. Box 1210  
Hawthorne, NV 89415

William E. Schaeffer  
P. O. Box 936  
Battle Mountain, NV 89820

1 Laura A. Schroeder  
2 P. O. Box 12527  
3 Portland, Oregon 97212-0527

John W. Howard  
JW Howard/Attorneys  
625 Broadway, Suite 1206  
San Diego, CA 92101

4 Dated this 29<sup>th</sup> day of December, 2005.

5  
6   
7 Holly C. Delwar